

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

*Plaintiff,*

**-vs-**

ISAIAH WHITEFOX REDBIRD,

*Defendant.*

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Case No. CR-19-347-F

**ORDER**

This matter came before the Court on the Defendant's Unopposed Motion for Extension of Time Within Which to File Pre-Trial Motions and Notices of Defenses and to Continue the Jury Trial. Doc. no. 36.

Based upon the facts set forth in defendant's unopposed motion, the Court finds as follows:


The Speedy Trial Act is impacted.

The Court finds that the ends of justice are served by extending the deadlines for the filing of pretrial motions and notices and continuing the jury trial. In making this determination, the Court has specifically considered the length of delay, the reason for delay, the defendant's assertion of the right, any prejudice to the defendant and other relevant circumstances. It is unreasonable to expect adequate preparation for pretrial proceedings within the time limits initially established by the Speedy Trial Act. Failure to afford adequate time for pretrial investigation, motion work, and trial preparation, would result in a miscarriage of justice. *See, United States v. Toombs*, 574 F.3d 1262 (10<sup>th</sup> Cir. 2009). *See, generally, United States v. Larson*, 627

F.3d 1198, at 1207 (10<sup>th</sup> Cir. 2010) and United States v. Williams, 511 F.3d 1044 (10<sup>th</sup> Cir. 2007).

Accordingly, Defendant's Unopposed Motion for Extension of Time Within Which to File Pre-Trial Motions and Notices of Defenses and to Continue the Jury Trial (Doc. No. 36) is **GRANTED**. The jury trial currently scheduled for the January 2020 trial docket is stricken and continued to the April 2020 trial docket, which is scheduled to begin on April 14, 2020. All pretrial motions shall be filed and served on or before February 28, 2020. The party opposing the motion shall file and serve a response within 9 days after the motion is filed. Notice of any of the defenses stated in FED. R. CRIM. P. 12.1, 12.2 or 12.3, shall be provided on or before February 21, 2020. All other documents and materials shall be filed in accordance with the deadlines in the Federal Rules of Criminal Procedure and this Court's Local Criminal Rules.

IT IS SO ORDERED this 27<sup>th</sup> day of November, 2019.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE